

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA

Robert L. Canty,	) C/A No.: 6:10-365-RBH-WMC	
	)	
Plaintiff,	)	
	)	
vs.	)	<b>Order</b>
	)	
Willie Bamberg, Chief; and Orangeburg County (County 38),	)	
	)	
Defendants.	)	

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This matter is before the court because of the plaintiff's failure to respond to the Court's order entered on February 22, 2010.

A review of the record indicates that the Magistrate Judge ordered the plaintiff to submit items needed to render the above-captioned case into proper form within twenty-one days, plus three days for mail time, and that if he failed to do so, his case would be dismissed *without prejudice*. The Magistrate Judge's order was sent to the last known address of the plaintiff, however, the order was returned to the Clerk of Court with the words "return to sender out of jail" printed on the envelope. Accordingly, the above-captioned case must be dismissed *without prejudice* pursuant to FRCP 41.

**IT IS SO ORDERED.**

April 5, 2010  
Florence, South Carolina

s/ R. Bryan Harwell  
R. Bryan Harwell  
United States District Judge